



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, Florida 33701

FOR INFORMATION CONTACT:

Susan Gerhart or Susan.Gerhart@noaa.gov
(727)824-5305, FAX (727)824-5308
<http://sero.nmfs.noaa.gov>

September 4, 2008
FB08-048

Gulf of Mexico Commercial Grouper/Tilefish IFQ Program Referendum: Seeking Public Comment *Comment Period Ends October 6, 2008*

NOAA's National Marine Fisheries Service (NOAA Fisheries Service) is seeking public comment on a proposed rule for the Gulf of Mexico commercial grouper/tilefish individual fishing quota (IFQ) program referendum. The proposed rule published in the *Federal Register* on September 4, 2008 (73 FR 51617). The public comment period ends on October 6, 2008.

The Gulf of Mexico Fishery Management Council (Council) has requested NOAA Fisheries Service hold a referendum for an IFQ program for the Gulf of Mexico commercial grouper and tilefish fisheries. The proposed rule would inform the public of voter eligibility requirements and the referendum procedures NOAA Fisheries Service would use in conducting the referendum. The referendum is being conducted to determine if commercial grouper and tilefish fishers approve of the Grouper/Tilefish IFQ program developed by the Council and NOAA Fisheries Service. IFQ program components are evaluated in Amendment 29 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico and include, but are not limited to: Initial eligibility, transferability, ownership caps, appeals, a cost recovery plan, and enforcement measures. Amendment 29 can be found at <http://sero.nmfs.noaa.gov> or <http://gulfcouncil.org>.

Voter Eligibility Requirements

The referendum rule proposes that to be eligible to vote in the IFQ referendum, an individual must:

- Possess an active or renewable commercial reef fish permit with combined average annual grouper and tilefish landings of at least 8,000 pounds during 1999-2004 (with the allowance of dropping one year). These individuals are considered to have substantially fished the commercial grouper and tilefish fisheries.

Referendum Procedures

NOAA Fisheries Service would calculate combined average annual grouper and tilefish landings for each currently active or renewable permit using the highest five years from 1999-2004. Those individuals holding a permit with an average of at least 8,000 pounds would be designated as eligible voters. On or about December 1, 2008, NOAA Fisheries Service would mail eligible voters a ballot for each permit held. Individuals holding permits that do not have an average of at least 8,000 pounds would not receive a ballot. Individuals would have 30 days from the postmark date to complete their ballots and mail them to NOAA Fisheries Service. Referendum ballots not received within 30 days of the postmarked date would not be considered. NOAA Fisheries Service would conduct the vote counting within 60 days of receiving the ballots. Approval or disapproval of the referendum would be determined by a majority of the votes cast.

Request for Comments

Written comments on this proposed rule must be received no later than 5 p.m., Eastern Time, on October 6, 2008, to be considered by NOAA Fisheries Service. See the **Addresses** section for information on where and how to submit comments. Please note that NOAA Fisheries Service is requesting comments only on the referendum guidelines in the proposed rule and not on the establishment of an IFQ program or any of its potential components.

Addresses

Electronic copies of the rule may be obtained from the NOAA Fisheries Service Web site at <http://sero.nmfs.noaa.gov>, or for a paper copy contact:

Sustainable Fisheries Division
Southeast Regional Office
NOAA Fisheries Service
263 13th Avenue South
St. Petersburg, Florida 33701-5505

You may submit written comments, identified by 0648-AW85, by any of the following methods:

- Electronic submissions: Federal e-Rulemaking Portal: <http://www.regulations.gov>.
- Fax: (727) 824-5308
- Mail: Susan Gerhart, at address above

All comments received are a part of the public record and will be posted to www.regulations.gov without change. All personal identifying information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NOAA Fisheries Service will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous).

Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

This bulletin provides only a summary of the information pertinent to the rule. Any discrepancies between this bulletin and the rule as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

How Can We Improve These Fishery Bulletins?

If you have any suggestions on how we may improve future fishery bulletins, please contact:

Kim Amendola, Communication Specialist

Phone: (727)551-5707, FAX: (727)824-5320

E-mail: SERO.Communications.Comments@noaa.gov

If you would like to receive these fishery bulletins via e-mail as soon as they are published, please e-mail: SERO.Communications.Comments@noaa.gov and include: (1) "Request for Electronic Fishery Bulletins" in the subject line and (2) your preferred e-mail address in the body of the e-mail.

FIRST CLASS MAIL
POSTAGE AND FEES PAID
U.S. DEPARTMENT OF COMMERCE
PERMIT NO. 6091

National Marine Fisheries Service
Southeast Regional Office, F/SER24
263 13th Avenue South
St. Petersburg, FL 33701
Official Business
FB08-048